

BEFORE THE STATE CORPORATION COMMISSION  
OF THE STATE OF KANSAS

In the Matter of the Joint Application of )  
Evergy Kansas Central, Inc., Evergy Kansas )  
South, Inc., and Evergy Metro, Inc. for ) Docket No. 23-EKCE-588-TAR  
Approval of Tariff Changes Related to )  
Wholesale Demand Response Participation. )

**PETITION TO INTERVENE**

The Empire District Electric Company ("Liberty-Empire" or "Company") petitions the Kansas Corporation Commission ("Commission") for intervention in the above-captioned docket. This petition is filed per K.S.A. 77-521(a) and K.A.R. 82-1-225. In support of its petition, Liberty-Empire states as follows:

1. Liberty-Empire is a corporation duly organized and existing under the laws of the State of Kansas and is engaged in doing business in said state, and is duly qualified to do and is doing business in the states of Missouri, Arkansas and Oklahoma. Liberty-Empire is a holder of a Certificate of Convenience and Necessity from the Commission to conduct the business of an electric utility in Kansas.

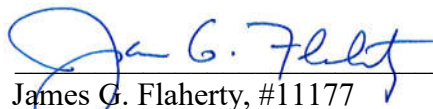
2. To the extent the Commission makes any policy decisions in this docket with respect to retail electric customers' participation in the wholesale electricity market as demand response resources by balancing the rights of those retail electric customers to participate in the wholesale electricity market as demand response resources on the one hand, with assuring that such participation does not compromise the electric utility's ability to meet its obligations and responsibilities as a distribution utility and retail electric service provider to all of its customers on the other hand, such policy decisions may substantially impact Liberty-Empire's electric utility operations in Kansas and

the Company's legal rights, duties or other legal interests as a retail supplier of electricity. Liberty-Empire would therefore request permission to intervene in this docket so it can provide comments in response to the Staff Report and Recommendation that is to be filed in this docket on May 9, 2023 ("Staff R&R"). Per the Order Setting Procedural Schedule issued on March 21, 2023, in this docket, if Liberty-Empire's petition to intervene is granted, then its comments in response to the Staff R&R would be due on June 23, 2023.

3. The interests of justice and the orderly and prompt conduct of the proceedings will not be impaired by allowing Liberty-Empire to intervene in this docket. Liberty-Empire's counsel has conferred with counsel for the joint applicants in this case, Evergy Kansas Central, Inc., Evergy Kansas South, Inc. and Evergy Metro, Inc. (collectively, "Evergy"), and Evergy has no objection to Liberty-Empire intervening in this docket for the purpose of providing comments in response to the Staff R&R.

4. Liberty-Empire submits that its petition to intervene meets the requirements set forth in K.A.R. 82-1-225.

WHEREFORE, for the reasons set forth herein, Liberty-Empire requests that its petition to intervene be granted.



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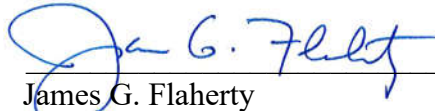
Attorneys for The Empire District Electric Company

**VERIFICATION**

STATE OF KANSAS  
COUNTY OF FRANKLIN, ss:

James G. Flaherty, of lawful age, being first duly sworn on oath, states:

That he is the attorney for The Empire District Electric Company, named in the foregoing Petition to Intervene and is duly authorized to make this affidavit; that he has read the foregoing and knows the contents thereof; and that the facts set forth therein are true and correct.

  
James G. Flaherty

SUBSCRIBED AND SWORN to before me this 24<sup>th</sup> day of March, 2023.





Notary Public

Appointment/Commission Expires:

## CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing was sent via electronic mail this 24<sup>th</sup> day of March, 2023, addressed to:

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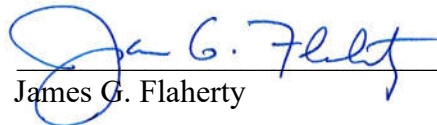
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